

ALLEN BIAGGI, Administrator

(775) 687-4670
TDD 687-4678

Administration
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Facsimile 684-5259

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DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF ENVIRONMENTAL PROTECTION

333 W. Nye Lane, Room 138
Carson City, Nevada 89706

March 10, 2003

R. D. Reilly, JR.
Rear Admiral, U.S. Navy
Director Environmental
Readiness Division (OPNAV N45)
2000 Navy Pentagon
Washington, D.C. 20350-2000

Dear Admiral Reilly:

The State of Nevada appreciates being notified about the Department of the Navy's forthcoming Munitions Response Program. We understand the program's purpose is to identify and address sites known, or suspected to contain, unexploded ordinance (UXO) as well as discarded military munitions (DMM), and munitions constituents (MC). We also understand the program will focus on both active U.S. Navy installations and installations scheduled for closure. We do note that this program is not intended to address operational ranges, which is a concern for the State of Nevada.

We recognize that UXO, DMM, and MC are present on ranges and will continue to be released to support routine military training activities. Releases of munitions on operational ranges may further include inadvertent release on areas adjacent to some ranges. In any event, and unlike most Navy ranges, air to ground bombing ranges in Nevada are located on public lands. These public lands have been withdrawn by act of Congress for a defined period of time. For the operational ranges associated with the Naval Air Station at Fallon Nevada, a time period of 25 years -- with options for renewal -- are stipulated under the terms of section 3011 of the Military Lands Withdrawal Act of 1999.

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Section 3017 of this ACT specifically requires that military withdrawn lands in Nevada, that are contaminated, will be evaluated each year. The evaluation must focus on the costs for decontamination including a description of decontamination efforts undertaken and those proposed to be undertaken. These annual evaluations must be reported to the Congress.

The requirements of the ACT direct the Secretary of the Navy to follow a process, similar to the proposed MRP, for these public lands to be decontaminated to the extent that they can be and returned to the Department of Interior for public use.

From a Nevada perspective, implementation of the Navy's Munitions Response Program should be designed in a manner that is responsive to the requirements of the Act. Please know that we recognize that Captain Brad Geotsch, Commander, Fallon Naval Air Station, has been working on innovative approaches to address munitions cleanup on the Navy's bombing ranges at Fallon. We believe that Capt. Geotsch and other Navy range managers working in western states should be an integral part of the Navy's plans for implementing the forthcoming Munitions Response Program.

It is our contention that formal implementation of a Munitions Response Program to address contamination on active ranges will ultimately be a more efficient in two way. First, it will likely enhance long term management of contamination on existing ranges and second, it will surely diminish public concerns about long term threats to human health, safety and ecological biodiversity for such ranges.

We look forward to receiving the preliminary inventory in May 2003. If there are any question related to the above issues please contact Paul Liebendorfer, Chief, Bureau of Federal Facilities at (775) 687-9388.

Sincerely,

Allen Biaggi
Administrator

Cc
Paul Liebendorfer, NDEP/BFF
Capt. Brad Geotsch, CO/NAS Fallon